

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO. 13-CV-13014-JGD

**RAMON SUERO and ROSANNA
SUERO,**

Plaintiffs,

v.

**FEDERAL HOME LOAN MORTGAGE
CORPORATION a/k/a FREDDIE MAC,**

Defendant.

JOINT STATEMENT FOR STATUS CONFERENCE SET FOR SEPTEMBER 8, 2015

Plaintiffs Ramon Suero and Rosanna Suero and Defendant Federal Home Loan Mortgage Corporation (together, “Parties”) jointly submit the following memorandum in preparation for the Status Conference currently scheduled for September 8, 2015 at 10:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein.

A. USE OF ALTERNATIVE DISPUTE RESOLUTION PROGRAMS

1. Parties are jointly requesting a court-appointed mediator. Both parties believe that formal mediation could help achieve an out-of-court resolution of this matter, avoiding further litigation and expenditure of judicial resources.

B. STATUS OF THE CASE

1. Plaintiffs filed a verified complaint in this case on November 18, 2013, with seven (7) counts of causes of action against Defendant.
2. In its December 17, 2013 Memorandum of Decision and Order (Docket No. 19), this Court granted the Defendant’s Motion for Preliminary Injunction, enjoining the Defendant from

- (1) taking any steps towards selling the property in which the plaintiffs are residing at 26 Elder Street, Apt. 1, Dorchester, MA (the “Property”) pending resolution of this litigation; and (2) taking any steps to evict the tenants during the pendency of this litigation, subject to the requirement that the Plaintiffs continue to pay \$700 per month into an escrow account being maintained by counsel at the Harvard Legal Aid Bureau. This injunction remains in effect. (Docket No. 19).
3. In its Scheduling Order of April 16, 2014, this Court set a deadline of August 1, 2014 for the Parties to complete fact discovery on all counts. (Docket No. 41).
 4. On July 25, 2014, Parties filed a Joint Motion to Stay Discovery Pending Decision on Cross-Motions for Summary Judgment. (Docket No. 71). In this motion, the Parties requested a stay of discovery until this Court reached a decision on Parties’ Cross-Motions for Summary Judgment on Count 1.
 5. In its electronic order of July 28, 2014, this Court granted the Parties’ Joint Motion to Stay Discovery Pending Decision on Cross-Motions for Summary Judgment. (Docket No. 73).
 6. In its August 18, 2015 Memorandum of Decision and Order on Docket Nos. 46 & 63 Cross-Motions for Partial Summary Judgment, this Court denied the Plaintiffs’ Motion for Partial Summary Judgment on Count 1 and allowed the Defendant’s Motion for Partial Summary Judgment on Count 1.
 7. Should the Parties not reach a resolution through court-appointed mediation as discussed in Section A of this Joint Statement, Plaintiffs intend to proceed with litigation on Counts 2 through 7 in this Court. In order to do so, discovery relevant to Counts 2 through 7 must be completed.

C. SCHEDULING FOR REMAINDER OF CASE THROUGH TRIAL

1. Should the Parties not proceed with court-appointed mediation as discussed in Section A of this Joint Statement, Parties request that this Court lift its Stay on Discovery (Docket No. 73) and issue a Scheduling Order requiring Parties to complete all Fact Discovery by a date to be determined by this Court.

Plaintiffs Ramon and Rosanna Suero
By their attorney,

/s/ Eloise Lawrence
Eloise Lawrence, Esq.
BBO #655764
Harvard Legal Aid Bureau
23 Everett St.
Cambridge, MA 02138
elawrence@law.harvard.edu
(617) 496-5484

Dated: September 2, 2015

Defendant Freddie Mac
By its attorney,

/s/ Justin Fabella
Justin Fabella, Esq.
BBO #654859
Hinshaw & Culbertson LLP
28 State Street, 24th Floor
Boston, MA 02109
jfabella@hinshawlaw.com
617-213-7000
617-213-7001 (facsimile)

CERTIFICATE OF SERVICE

I, Eloise Lawrence, hereby certify that the documents filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Eloise Lawrence
Eloise Lawrence, Esq.